

section 5 and lots 3 and 4 of section 8, township 40 north, range 5 east; for the Indian village lots 1, 2, 3, 4, 5, and 6 of section 1, lots 1 and 7 of section 2, and lots 1, 2, and 3 of section 12, township 40 north, range 4 east; and for the school and agency farm the unappropriated land in sections 6 and 7, township 40 north, range 5 east, that in the east half of section 31, and that in the west half of section 32, township 41 north, range 5 east.

SEC. 4. That the sum of \$5,000, or as much thereof as may be needed, is hereby appropriated out of any money in the Treasury not otherwise appropriated for the purpose of preparing a tribal roll in accordance with the provisions of this Act and also for the surveys and other expenses necessary in making the allotments herein authorized.

Approved, May 19, 1924.

Appropriation for preparing roll, etc.

CHAP. 160.—An Act To authorize the sale of lands allotted to Indians under the Moses agreement of July 7, 1883.

May 20, 1924.
[H. R. 2878.]
[Public, No. 122.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any allottee to whom a trust patent has heretofore been or shall hereafter be issued by virtue of the agreement concluded on July 7, 1883, with Chief Moses and other Indians of the Columbia and Colville Reservations, ratified by Congress in the Act of July 4, 1884 (Twenty-third Statutes at Large, pages 79 and 80), may sell and convey any or all the land covered by such patents, or if the allottee is deceased the heirs may sell or convey the land, in accordance with the provisions of the Act of Congress of June 25, 1910 (Thirty-sixth Statutes at Large, page 855).

Approved, May 20, 1924.

•Columbia and Colville Indian Reservations, Wash.
Allottees may dispose of patented lands.
Vol. 23, p. 79.

Sales by heirs.

Vol. 36, p. 855.

CHAP. 161.—An Act Authorizing the Commissioner of Indian Affairs to acquire necessary rights of way across private lands, by purchase or condemnation proceedings, needed in constructing a spillway and drainage ditch to lower and maintain the level of Lake Andes, in South Dakota.

May 20, 1924.
[H. R. 4161.]
[Public, No. 123.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Indian Affairs is hereby authorized, in order to carry out the provisions of an Act approved September 21, 1922 (Forty-second Statutes, page 990), entitled "An Act providing for the construction of a spillway and drainage ditch to lower and maintain the level of Lake Andes, South Dakota," to acquire necessary rights of way across private lands by purchase or condemnation under judicial process, and not to exceed \$5,000 of the money heretofore appropriated for the construction of this project shall be available for such purpose.

Lake Andes, S. Dak.
Rights of way to be acquired for spillway, etc.
Vol. 42, p. 990.

Appropriation available.
Vol. 42, p. 1051.

Approved, May 20, 1924.

CHAP. 162.—An Act Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Seminole Indians may have against the United States, and for other purposes.

May 20, 1924.
[H. R. 5799.]
[Public, No. 124.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine,

Seminole Indians.
Claims of, against United States to be adjudicated by Court of Claims.

and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and the Seminole Indian Nation or Tribe, or arising under or growing out of any Act of Congress in relation to Indian Affairs, which said Seminole Nation or Tribe may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

Time for filing.

SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of approval of this Act, and such suit shall make the Seminole Nation party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Seminoles approved by the Commissioner of Indian Affairs and the Secretary of the Interior; and said contract shall be executed in their behalf by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Indian nation to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys of said Indian nation.

Procedure.

Evidence admitted.

Counterclaims admitted.

SEC. 3. In said suit the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Indian nation, but any payment which may have been made by the United States upon any claim against the United States shall not operate as an estoppel, but may be pleaded as an offset in such suit.

Appeal to Supreme Court.

SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this Act, an appeal may be taken by either party as in other cases to the Supreme Court of the United States.

Attorneys' fees, etc., by decree of court.

SEC. 5. That upon the final determination of any suit instituted under this Act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the attorney or attorneys so employed by said Indian nation for the services and expenses of said attorneys rendered or incurred prior or subsequent to the date of approval of this Act: *Provided*, That in no case shall the aggregate amounts decreed by said Court of Claims for fees be in excess of the amount or amounts stipulated in the contract of employment, or in excess of a sum equal to 10 per centum of the amount of recovery against the United States.

Proviso.
Limitation.

Issue of orders and process.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

Appearance of Attorney General directed.

SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

Approved, May 20, 1924.